



Work Session

PLANNING COMMISSION AGENDA
Thursday, December 20, 2012
Following Regular Planning Commission Meeting
Coon Rapids City Center
Conference Room 1

Call to Order

Adopt Agenda

Old Business

1. Recodification Title 11

Adjourn



Planning Commission Work Session

1.

Meeting Date: 12/20/2012

Subject: Recodification Title 11

From: Scott Harlicker, Planner

INTRODUCTION

Staff is requesting Planning Commission input on the most recent update in the recodification of Title 11.

ACTIONS

N/A

60 DAY RULE

N/A

LOCATION

N/A

DISCUSSION

At the September meeting the Commission received a draft, dated 8/16/12, of the revised Title 11. The City Council asked that the recodification be removed from the agenda to allow time for Council discussion of the proposed changes at a workshop. That workshop was held on November 27th.

City Council Workshop Discussion

On November 27th the City Council held a workshop to discuss the proposed changes to Title 11. The focus of their discussion was the proposed Business Park zoning district. After a lengthy and deliberative discussion in which they discussed the need for long term planning, the importance of attracting businesses with a high "job density" and the rights of property owners to develop their land under the current standards, they directed staff to remove the proposed Business Park zoning district from the proposed changes to Title 11. References to Business Park zoning district have been removed from the current draft.

Other items discussed included changes to the Tower and Antenna Section and proposed changes to the off-drive parking areas. One of the proposed changes to the antenna section is the Planning Commission will hold the public hearing and make a recommendation to the Council for antenna towers in residential districts. The Council currently holds the public hearing and then makes a decision.

The Council indicated that they were ok with the proposed change. However, they did discuss the need to make findings for denial, if a tower is denied, and what criteria should be used. The current code states that an applicant must demonstrate that no reasonable alternative location exists in another zoning district. The following must also be taken into consideration:

- (a) Spacing and locational needs to achieve adequate service coverage.

- (b) Possibility of placement of antenna on a pre-existing structure.
- (c) Design and height of any proposed tower.
- (d) Topography and other potential service impediments within the necessary locational radius.
- (e) Proximity tower to existing residences or future residential properties.
- (f) Efforts made to make the tower compatible with the surrounding neighborhood.
- (g) Availability of other potential sites within a reasonable locational radius.

The above criteria are fairly general and do not conflict with federal regulations with respect to local government's ability to regulate cell towers and antennas through zoning. Federal regulations state a denial must be supported by substantial evidence contained in the written record. The criteria are not being changed; however, if the Commission would like to take a look at possible changes, that discussion could be added to the 2013 workplan.

The Council also supported changes to the off drive parking area in the LDR 1 and LDR 2 districts. To allow the larger LDR1 lots, most of which are located along the river and have lot depths that exceed 200 feet, more flexibility, the following is proposed:

- The maximum driveway width for the first 100 feet from the right-of-way would be 36 feet
- After 100 feet there is no maximum driveway width
- Lot coverage would not be changed from the current 30%
- Expand the depth of the off-drive parking area from 24 feet to 45 feet in both the LDR1 and LDR2 Districts to accommodate the largest recreational vehicles allowed by code.

These changes would allow wider driveways to accommodate larger garages and detached storage buildings. Since most of the houses along the river are setback more than 100 feet from the street, the distance from the street and vegetation would screen and buffer the wider driveways from the street.

The smaller LDR1 lots, those that are not as deep as the river lots, would not be able to have the wider driveway. They would fall under the same guidelines as those in the LDR2 district because they are not deep enough to take advantage of the wider driveways.

Additional Changes

The 8/16/12 draft has been updated to include regulations so that the zoning code and provisions of the property maintenance code are consistent and supportive of each other. Those updates are attached and include regulations on junk vehicles, major recreational equipment, dumpster enclosure installation at apartments, donation boxes and reduced front yard setbacks in LDR Districts. New language is underlined and language to be eliminated has a strike through.

RECOMMENDATION

Planning Commission input regarding the proposed changes is requested.

Attachments

Recent Changes

11-601.3 Major Recreational Equipment in Residential Districts.

(1) Standards. Major Recreational Equipment in a residential district must conform to the following standards, in addition to the standards in Title 9 (Traffic and Transportation). These standards are enforceable against the property owner, the vehicle owner, and the vehicle possessor(s), joint and severally. For this purpose, the vehicle owner is presumed to be the registered owner, unless rebutted.

(a) No Major Recreational Equipment may be used for living, sleeping, or housekeeping purposes, except that one major recreational vehicle not exceeding the limitations of 11-601.3 is allowed for occasional living purposes, not to exceed three days per 30 day period, to accommodate visitors, provided the vehicle is parked on private property.

(b) Major Recreational Equipment stored outside must be in a condition for the safe and effective performance of its intended function or repaired to put such equipment in such condition. Equipment being repaired may not be stored longer than 20 days.

(c) Maximum Number: Two Major Recreational Equipment vehicles per residential dwelling unit, whether stored inside or outside a building.

(d) Size limitations for Major Recreational Equipment parked or standing in residential districts more than 12 hours:

i. Maximum Height: Thirteen and one half feet measured from the ground to the highest point on the vehicle at the recommended tire pressure. For the purposes of measuring height, all accessories, attachments, and material carried on the vehicle shall be considered part of the vehicle.

ii. Maximum Length: Forty-five feet, measured from the longest point on the vehicle or, if a trailer, the horizontal distance between the front and rear edges of the trailer bed. For the purposes of measuring length, all accessories, attachments, and material carried upon a vehicle is considered a part of the vehicle or trailer bed.

iii. Maximum Width: Eight and one half feet in width, measured from the widest point on the vehicle or, if a trailer, the horizontal distance between the left and right edges of the trailer bed. For the purposes of measuring width, all accessories, attachments, and material carried upon a vehicle is considered a part of the vehicle or trailer bed.

(e) Vehicles must be both operable and currently registered.

(f) The total number of trailers allowed stored outside on a residential property is two.

11-601.5 Junk Vehicles Residential Property.

(1) The parking, storage, repairing, dismantling, demolition, or abandonment of junk vehicles or part thereof on a residential property is prohibited, ~~except that a resident of the premises may repair one vehicle on the property if the vehicle is owned by a resident and such repair does not exceed 20 days.~~

~~———— (2) ——— The parking or storage of a motor vehicle, other than a junk vehicle or Major Recreational Equipment, on residential property is prohibited unless the vehicle is displaying current registration, or is exempt from registration under Minnesota State law, and the property around the vehicle is kept mowed and free of debris. Such vehicles shall be included in the number of permitted vehicles under Section 11-601.4.~~

11-601.10 Exterior Storage of Building Materials. The following are prohibited in residential districts:

- (1) To place, store or allow the placement or storage of ice fishing houses, skateboard ramps, playhouses outside continuously for longer than twenty-four hours in the front yard.
- (2) To place, store or allow the placement or storage of salvage wood, furniture, plastic, recyclables, scrap metal, debris, pipe, limber, forms, steel machinery, or similar materials including all material and equipment used in conjunction with a business outside on residential property including storage on an open trailer.
- (3) To maintain or permit building materials and equipment (including but not limited to piles of dirt, landscaping materials, sod, scaffolding, forms dumpsters, portable toilets, debris and construction trailers) left in the open six months after issuance of a building permit or commencement of the construction project, whichever occurs first. A construction project is considered to commence when the first exterior evidence of the project is visible (for example, delivery of material or removal of soil cover).

11-601.11 Dumpsters in Residential Districts. The placement or use of dumpsters, both soft and hard sided, on residential properties is limited to one month, except in association with an active building permit. In such case, the dumpster must be removed within six months of the date of the issuance of the building permit.

11-602.2(12) Setbacks.

(a) The minimum setbacks, measured in feet, are as follows:

Structure	Front Yard	Rear Yard	Side Yard Street*	Side Yard Interior
Principal Structure				
Living Space	40' <u>30'</u>	50'	20'	15'
Attached Garage	40'	50'	20'	10'

11-603.2(12) Setbacks.

(a) The minimum setbacks, measured in feet, are as follows:

Structure	Front Yard	Rear Yard	Side Yard Street*	Side Yard Interior
Principal Structure				
Living Space	35' <u>25'</u>	35'	20'	10'

11-1200.1 Compliance.

(1) All future development will be required to meet the standards of this Chapter. These standards also apply to existing development where so stated. No structure can be erected, substantially altered, or its use changed unless in compliance with the provisions of this Chapter.

(2) No property can be used in a manner that violates the standards of this chapter.

(3) Violation of these standards will be determined by the Director, the Chief Building Official, or the City Engineer and may be cited under Chapter 2-1100 (Administrative Procedures and Penalties) ~~will be processed pursuant to Section 11-307.~~

11-1204.3 All Districts.

(1) Exterior storage of goods or materials which are not prohibited under Chapter 8-1000 must be screened. If such permitted storage is not screened, it will be considered a public nuisance. ~~unreasonably annoys or endangers the property values of surrounding property users must be screened.~~

11-1206.2 Miscellaneous Performance Standards

(7) Donation Drop-Off Boxes. Donation drop-off boxes are allowed in all Commercial and Industrial Districts and at institutional uses in residential districts. Designated recycling collection centers, as determined by the Community Development Director, are exempt from these regulations.

(a) The placement of donation drop-off boxes are subject to the following conditions:

i. Requires written approval of the property owner.

ii. Must be placed against the building in the side and rear yards only.

iii. Can not take up required parking or loading area and can not block sidewalks.

iv. Can not be placed in a drive aisle or landscaped area.

v. Can not be placed on vacant or undeveloped property.

vi. Only one drop-off box per property.

ii. Must be kept free of exterior materials, liter and graffiti.

iii. Display ownership and contact information in a prominent location on the box; it must be visible and legible.

(b) The boxes are subject to the following design standards

i. The drop box must be no larger than six feet wide, six feet deep and eight feet high.

ii. The drop box must be constructed of painted metal or plastic, maintained in a safe and good condition, free from graffiti, rust, holes or other discoloration and firmly anchored to the ground.

iii. All bins must be safely designed in a manner that prevents the tipping over and prevents individuals from entering the bin.

(c) Violation of these regulations will be deemed a public nuisance and subject to an Administrative Citation pursuant to Section 2-1100.

11-1206.2 Miscellaneous Performance Standards

(8) Required Dumpster Enclosure Installation at Multi-family Buildings. Dumpsters at all apartments and multi-family buildings must be stored within an approved enclosure within three years from the date of the adoption of this ordinance. The enclosure must be designed and constructed per the standards in Section 11-1204.4.